

REMARKS

At the outset, Applicants wish to thank Examiner Eashoo for his courtesy in allowing a telephonic interview on November 19, 2004. An interview summary is being filed herewith. Applicants are filing herewith an Information Disclosure Statement listing additional patents referenced during the interview. Applicants submit that all the pending claims are patentable over the art of record.

Claims 60 to 90 are pending in the application, of which claims 60 and 82 are independent. Claims 60-74 and 76-90 are rejected and claim 75 is objected to but would be allowable if rewritten in independent form. Applicants submit that all the pending claims are patentable over the art of record.

Rejection Under 35 U.S.C. § 102(b)

Claim 82-84 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 4,001,366 to Brumlik ("Brumlik"). Applicants respectfully reconsideration of this rejection in light of the following remarks.

Brumlik discloses a structure having a base and one or more integral trains of upright gripping elements extending along a continuous rib extending along the base and a method for making a fastening structure with integral ribs which are cut to form spaced-apart gripping elements. Brumlik also shows an integral composite gripping element having a base 32, a stem 34 and a self-gripping head 36 each formed from a different material by a coextrusion process. See Brumlik, col. 6, lines 34-45 and Fig. 8.

Nowhere does Brumlik teach or suggest a method of producing a multi-layer form fastener product including stretching the web in a *bias direction* in a manner that permanently stretches the web between fastener elements, increasing the spacing of the fastener elements. Applicants note that stretching the web in a bias direction is not equivalent to stretching in the longitudinal direction and the transverse direction, even if the longitudinal and transverse stretching is performed simultaneously. The claimed process permits reorientation of the

fastener elements from the initially molded orientation toward a bias direction to improve fastener engagement.

Thus, Brumlik fails to teach or suggest the invention recited in claim 82. Claims 83 to 84 depend from claim 82 and are patentable for at least the same reasons.

Rejection under 35 U.S.C. § 103(a)

Claims 60-74, 76-81 and claims 85-90 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Brumlik in view of U.S. Pat. No. 5,453,238 to Bardy ("Bardy"). Claim 60, as amended now recites a method of producing a composite sheet-form fastener product including separately introducing first and second resin materials to a rotary mold roll, selecting a first resin material having a first set of rheological properties to form substantially the fastening element, selecting a second resin material having a second set of rheological properties to form substantially the web, and separately introducing the first and second resin materials to a rotary mold roll to form a continuous sheet product having a continuous web.

As fully provided in the specification, by employing compatible resins which have different rheological qualities, advantages are obtained in the later stretching process. In one example, it is advantageous to select one resin having a higher melting point and a higher glass transition temperature than that of resin. Other advantages in the product formed is that the hook portion of the fastener element can be selected for its properties related to peel and shear strength whereas the resin of the base web can be selected for optimal base web properties, for instance stretchability and conformability.

Bardy teaches a method of making composite profiled products but fails to cure the deficiencies of Brumlik.

Accordingly, claim 60 and claims 61-74, 76-81 depending therefrom are patentable. Claims 85-90 depending from claim 82 are patentable for at least the same reasons.

Applicant : Keith G. Buzzell et al.
Serial No. : 10/602,780
Filed : June 24, 2003
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Attorney's Docket No.: 05918-110003

Allowable Subject Matter

Applicants acknowledge the substantial allowability of claim 75 if rewritten in independent form. Claim 75 depends from claim 60 and is patentable for at least the same reasons.

Enclosed is a \$180 check for the fee required under 37 C.F.R. § 1.97(c) for filing an Information Disclosure Statement during the period specified therein, and a \$110 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06 1050, referencing attorney number 05918-110003. If a telephone call would expedite prosecution of this applicant, please contact the undersigned attorney at the number provided below.

Respectfully submitted,

Date: 12/6/2004


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Keith G. Buzzell et al.
Serial No. : 10/602,780
Filed : June 24, 2003
Title : STRETCHED FASTENERS

Art Unit : 1732
Examiner : Mark Eashoo

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

On November 19, 2004, Examiner Eashoo conducted a telephonic interview with James Babineau and David Schuler, attorneys for the Applicants.

Independent claims 60 and 82, were discussed in light of the Brumlick and Bardy references.

Applicants submitted that Brumlik does not teach or suggest a method of producing a multi-layer form fastener product including stretching the web in a bias direction in a manner that permanently stretches the web between fastener elements, increasing the spacing of the fastener elements as recited in claim 82. Applicants note that stretching the web in a bias direction is not equivalent to stretching in the longitudinal direction and the transverse direction, even if the longitudinal and transverse stretching is performed simultaneously. The claimed process permits reorientation

Applicants also submitted that Claim 60, as amended now recites a method of producing a composite sheet-form fastener product including separately introducing first and second resin materials to a rotary mold roll, selecting a first resin material having a first set of rheological properties to form substantially the fastening element, selecting a second resin material having a

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 6, 2004
Date of Deposit

USA G. Gray
Signature

USA G. Gray
Typed or Printed Name of Person Signing Certificate

Applicant : Stuart M. Lindsay, et al.
Serial No. : 10/459,153
Filed : June 11, 2003
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Attorney's Docket No.: 15149-002001

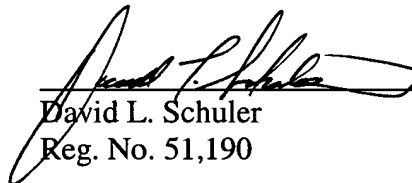
second set of rheological properties to form substantially the web, and separately introducing the first and second resin materials to a rotary mold roll to form a continuous sheet product having a continuous web.

The Examiner noted that an alternative rejection based on U.S. Pat. Nos. 5,537,723 (disclosing stretching fastener elements) and U.S. Pat. Nos. 6,540,863 (disclosing a fastener component molded out of multiple streams of resin) could have been made. The Applicants and Examiner discussed amending claim 60 to distinguish over the pending and alternative rejections.

Please apply any charges or credits to deposit account 06-1050, referencing the attorney docket number 05918-110003.

Respectfully submitted,

Date: 12/6/2004



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